

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT BLUEFIELD

TIMOTHY KIDD,

Plaintiff,

v.

CIVIL ACTION NO. 1:19-00603

ANDREW SAUL, Commissioner of the  
Social Security Administration,

Defendant.

**MEMORANDUM OPINION AND ORDER**

By Standing Order, this action was referred to United States Magistrate Judge Omar J. Aboulhosn for submission of findings and recommendation regarding disposition pursuant to 28 U.S.C. § 636(b)(1)(B). Magistrate Judge Aboulhosn submitted to the court his Findings and Recommendation on April 6, 2020, in which he recommended that the court deny plaintiff's request for judgment on the pleadings, (ECF No. 13), grant defendant's request to affirm the decision of the Commissioner, (ECF No. 17), affirm the final decision of the Commissioner, dismiss this action, and remove this matter from the court's docket. (ECF No. 18.)

In accordance with the provisions of 28 U.S.C. § 636(b), the parties were allotted fourteen days and three mailing days in which to file any objections to Magistrate Judge Aboulhosn's Findings and Recommendation. The failure of any party to file

such objections within the time allowed constitutes a waiver of such party's right to a de novo review by this court. Snyder v. Ridenour, 889 F.2d 1363 (4th Cir. 1989).

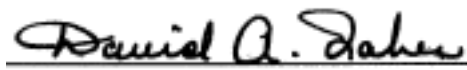
Objections to the Proposed Findings and Recommendation were due by April 23, 2020. Neither party filed any objections to the Magistrate Judge's Findings and Recommendation. Accordingly, the court adopts the Finding and Recommendation of Magistrate Judge Aboulhosn as follows:

1. Plaintiff's request for judgment on the pleadings, (ECF No. 13), is **DENIED**;
2. Defendant's request to affirm the decision of the Commissioner, (ECF No. 17), is **GRANTED**;
3. The final decision of the Commissioner is **AFFIRMED**;
4. This action is **DISMISSED**; and
5. The Clerk is directed to remove this case from the court's active docket.

The Clerk is further directed to forward a copy of this Memorandum Opinion and Order to counsel of record and unrepresented parties.

**IT IS SO ORDERED** this 22nd day of June, 2020.

ENTER:

  
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David A. Faber  
Senior United States District Judge